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Attorney's Docket No.: 17084-004016 / 4020

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gyula Hadlaczky et al. Art Unit : 1632
Serial No. : 10/782,129 Examiner : Anoop Kumar Singh
Filed : February 18, 2004 Cust. No. : 20985
Title : ARTIFICIAL CHROMOSOMES, USES THEREOF AND METHODS FOR Conf. No. : 5795
PREPARING ARTIFICIAL CHROMOSOMES

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (1 page), copy of U.S. Office Action, cited non U.S. patent reference, and a return postcard for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:



The Commissioner is hereby authorized to charge any fees that may be due in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17084-004016/4020

Address all correspondence to:

Stephanie Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-4777
Facsimile: (202) 626-7796
email: seidman@fr.com

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Date of Deposit May 25, 2006

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Stephanie Seidman



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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (1 page) are provided herewith in connection with the above-captioned application. The documents cited on the Forms PTO-1449 are in the English language. Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Provided herewith is a copy of an Office Action with cited references. The action issued May 8, 2006, in connection with U.S. Patent Application Serial No. 10/808,689 which is a divisional of U.S. Patent Application Serial No. 09/724,693 and ultimately claims priority

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Stephanie Seidman

to U.S. Patent Application Serial No. 08/629,822. The instant application is a continuation of U.S. Patent Application Serial No. 09/096,648, which is a continuation of U.S. Patent Application Serial No. 08/629,822. Hence this application and U.S. Patent Application Serial No. 10/808,689 claim priority ultimately to the same parent application.

In the Office Action, Examiner cites five references: 1) U.S. Patent No. 4,801,540; 2) Hall *et al.*, *Current Opinion in Plant Biology* 7:108-114 (2004); 3) Donald *et al.*, *Genome* 40:674-681 (1997); 4) Borisjuk *et al.*, *Nature Biotechnology* 18:1303-1306 (2000); and 5) Assaad *et al.*, *Genetics* 132:553-566 (1992). Copies of references 3-5 were previously provided in a Supplemental Information Disclosure Statement, filed May 12, 2006. A copy of reference #2 is provided herewith, and U.S. patent reference #1 is being made of record in this Supplemental Information Disclosure Statement.

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references or information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(g and h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie Seidman
Reg. No. 33,779

Attorney Docket No. 17084-004016/402O

Address all correspondence to:

Stephanie Seidman
Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-4777
Facsimile: (202) 626-7796
email: seidman@fr.com

SLS/jmt



Substitute Form PTO-1449 (Modifies)	U.S. Department of Commerce Patent and Trademark Office		Attorney's Docket No. 17084-004016/4020	Application No. 10/782,129			
List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b))							
U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	4,801,540	01/31/89	Hiatt, et al.	435	172.3	01/02/87
	AB	2006/0095984	05/04/06	Hadlaczky, et al.	800	278	11/21/05

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes No
		none					

Other Documents (include Author, Title, Date, and Place of Publication)							
Examiner Initial	Desig. ID	Document					
		none					

Examiner Signature	Date Considered
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	